

**OSSIPEE PLANNING BOARD
MEETING MINUTES
December 6, 2016**

Minutes recorded by Laura Nash, Planning Board Secretary; amendments are noted by ***bold/italic*** type. Live Recording of meeting can be found on <http://www.governmentoversite.com>.

Call to Order: Ski called the meeting to order at 7:00 p.m.

Attendance by roll call: Ski Kwiatkowski - Chairman, Connie Billings – Vice Chairman, Bob Gillette, Roy Barron, Dennis Legendre, Bruce Parsons, and Steve McConarty (ZEO). **Absent:** Rick St. Jean and Frank Riley

Meeting Minutes: Review to approve Meeting Minutes of November 15, 2016.

Motion: by Roy B., seconded by Dennis L., to approve the minutes of November 15, 2016.

All voted in favor of approving the minutes by show of hands, motion passed.

Unsatisfied Conditions: (continued from previous PB Mtgs) NO UPDATES

Board	Date	Applicant	List of Conditions
PB	11/03/15	LBWD	Ltr stating manufacturing/light industry only. – To be sent by PB
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: Pending #1: Water Supply Approval
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: Pending #2: Subdivision Approval
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: Pending #3: NHDES Septic Approval

Informal Discussion:

(Informal discussions are non-binding, any comments or discussion heard, are non-binding on either party.)

Bob Gillette provided - **DRAFT:** Guideline for Site Plan Approval of Outdoor Events – V.1 04 Dec: 16.

After Board review and discussion, revisions are noted as follows and will be presented at the next meeting:

- i. Identity of Applicant: #1C is redundant, remove.
- ii. Schedule of Events: A – is to be removed.
- iii. Other Information: #5C – to add “per Town of Ossipee Outdoor Event Ordinance 2.06 – Noise Guidelines states noise amplification will commence no earlier than 10:00 am on each day of the outdoor event and cease by 11:00 pm.”
- iv. Safety and Sanitation Planning: #6C – to add number of days to notify public officials (police, fire dept., etc.) in advance per Zoning Ordinance.

New Business:

• **Case # 16-1-SPRA – Sunny Villa Co. LLC.** – Owner Time Carnes, presented for Amendment to original SPR to hold a seasonal Outdoor Events. The property is located at 1020 Route 16 - Tax Map: 25 Lot: 30.

Motion: by Connie B., and seconded by Bob G., to accept the application as conditional complete. Conditions include:

- i. Description of Events
- ii. Location of Events on Map Plan
- iii. Insurance
- iv. # Maximum of Attendance
- v. Parking
- vi. Police Notification

All voted in favor of accepting a conditional application as complete by show of hands, **motion passed.**
Motion: by Connie B., and seconded by Roy B., of approving a conditional Site Plan Review Amendment.
All voted in favor of approving a conditional Site Plan Review Amendment application as complete by show of hands, **motion passed.**

- **Case # 16-2-SPRA - Jake's Seafood, Co. LLC.** – Owner Alan Prentice, presented for Amendment to original SPR to expand business by holding seasonal Outdoor Event of Winter Garden trails. Located at 2055 Route 16 - Tax Map: 25 Lot: 30. Alan Prentice noted he has received Fire permits. After review of the plans and Board discussion,

Motion: by Bruce P., to accept the application as complete. Connie B., stated the application was accepted at the last meeting with conditions. It was noted the conditions have been met and the motion was seconded by Dennis L.

All voted in favor of accepting the application as complete by show of hands, **motion passed.**

PB discussion over the volume of water to withdraw from the river. Mr. Prentice was advised to contact NHDES for specific requirements and/or permits.

Motion: by Connie B., and seconded by Dennis L., to approve the Site Plan Review Amendment for Outdoor Events.

All voted in favor of the Site Plan Review Amendment for Outdoor Events by show of hands, **motion passed.**

Old Business:

- **Plan NH – Accessory Dwelling Units (ADU's):** Ski asked how many Board members attended the seminar on ADU's. Connie B., Dennis L., and Bob G., attended in which Steve McConarty was the presenter. **Connie B.**, interrupted Ski K., to inform the Board that a Petition has been file with the Town with the required registered voters to adopt RSA 674:71, 674:72 and 674:73. Bob G., stated he has created a draft amendment adopting the new RSA and is asking Ski to form a 3 member subcommittee to review and finalize for presenting to the PB. Discussion ensued over confusing the residents and possibly withdrawing the petition. Connie also stated that OZO 4.4 – Structures & Uses Per Lot is discriminatory and illegal. Ski acknowledge Bob G., Bruce P., and will contact Rick St. Jean for his availability to be on the sub-committee.

- **Master Plan 2016 Revision** – Work Group Committee: Bob Gillette, Rick St. Jean, and Dennis

Legendre: **Bob G.**, provided the following updates:

- 1 Summarized a conversation with Frank Riley a week prior to this meeting on a Build-out plan.
- 2 Spoke of benefits and issues that might be identified in a Build-out study.
- 3 Per NH Office and Energy and Lakes Region Planning Commission it is becoming standard practice to have a build-out study with town survey while updating the Master Plan.
 - i. Introduced a letter received today, December 6, 2016 from Dan Hole Pond Watershed Trust RE: Build-out Study.
 - ii. Spoke of the offer by DHPWT to raise \$6,000.00 to have a build-out study done by a contractor. Have the PB or any other Board work with the contractor as an over-site committee to make sure it's done the way the subcommittee wants it. Bob G., stated per "Frank Riley, have DHPWT submit a letter of their offer, present it to the PB, and I will not stand in the way."
 - iii. Read the letter aloud for the record.
 - iv. Contractor would be FB Environmental, out of Portsmouth, NH and Portland, Me.
 - v. Offer is short term because the offer expires at the end of December

- vi. Contractor has a grant for \$4,000.00 and if DHPWT can raise the \$6,000.00 to cover the total cost of \$10,000.00.

4 Bob G., suggested approving a quick response to DHPWT accepting the offer.

Board discussion: Roy B., requested the secretary to back to prior minutes because he felt this discussion was voted down and was voted not to re-visit it.

Motion: by Bruce P., to throw out the old vote of not revisiting this topic and to vote in favor of accepting DHPWT's offer, seconded by Ski K.

Board discussion ensued raising many arguments about going against what the citizens of Ossipee voted on back March. Some members spoke in favor of the offer because it's free and it will help with the Master Plan. Others steadfast against the offer.

Bruce restated his motion for the record and Bob G., expanded on the motion. Connie B., interjected stating the motion cannot be expanded on. Bruce would need to withdraw his motion and Ski K., would need to withdraw his second.

Bruce P., and Ski K., withdrew any and all previous motions.

Motion: by Bob G., and seconded by Ski K., to override any previous vote on not to reconsider the Build-out Study. **Vote by show of hands:**

Ski – Yes Connie – No Bob – Yes Roy – No Dennis – Yes Bruce – Yes

Motion passed 4 – 2.

Motion: by Bob G., and seconded by Ski K., to accept the offer by Dan Hole Pond Watershed Trust in a letter to include the following 4 points:

1. Answer the letter in the affirmative with we appreciate your offer
2. Is considered potentially useful
3. Carefully consider the information it produces
4. Take advantage of the opportunity to work with the contractor FB Environmental

Vote by show of hands:

Ski – Yes Connie – No Bob – Yes Roy – No Dennis – Yes Bruce – Yes

Motion passed 4 – 2.

- **Jones & Beach Engineers, Inc.** invoice = \$6,679.75: Email received today with justification of cost. Board is agreement to stand with the contracted amount of \$4500.00. Letter to be sent to Jones & Beach asking them to come before the Board to answer questions. Bob G., to help construct letter.
- **Site Plan Review Application:** Still working on the updates to the application and instructions and Application for Outdoor Events.

Any Other Business Which May Come Before This Meeting

- **NH Dept. of Transportation - Notice of Public Hearing** on December 8, 2016 at 6:00 pm. to discuss proposed replacement of three bridges & rehabilitation of NH Routes 16 & 25.
- **Budget & Revenue Report** – 11/01/2016 – 11/23/2016
- **Annual Christmas Potluck Luncheon** – will be on December 23, 2016 at noon at the Town Hall.
- **Irving Energy:** Steve McConarty questioned if a Site Plan Review has been filed, Connie replied no.
- **Ward Boats:** Steve McConarty questioned Ward's Boat has an Intent to Cut and is going to fill the area with gravel for parking provided by the Ossipee Bluffs. PB stated who ever holds the permits and is providing the gravel...then anything greater than 1,000 cubic yards needs to come before the Planning Board for a Gravel Permit.
- **Conditional Approvals:** Steve McConarty posed question on what the applicant needs to do to finalize their Conditional Approval. L. Nash explained once documentation is submitted to the secretary of Boards & Commission, it will be presented to the Board at the next General Meeting and final approval will be decided. A final notification letter will be sent to the applicant within 5 business days notifying them of the Boards

decision.

Documentation may be submitted at the Ossipee Town Hall – Selectmen’s Office or by mail to: **Town of Ossipee, Planning Board, PO Box 67, 55 Main Street, Center Ossipee, NH, 03814**

- **Ed Cuomo:** provided advice in accepting the Dan Hole Pond Watershed Trusts offer for the Build – out Study. It’s a good opportunity to be transparent public and have a quick Town meeting to present the offer and let the Town’s people decide. Stated per Law and the RSA’s, any gift with a monetary value must go before the Selectmen for decision. The Planning Board has no authority to except any offer, gift, etc. that has a monetary value. **Bob G., and Ski K.,** suggested cc’ing the Selectmen on the letter to Dan Hole Pond Watershed Trust.
- **Un-named guest:** questioned the second part of the Master Plan being the town survey and is their committee working on this. Bob G., noted that himself and, Rick St. Jean, and Dennis Legendre are working on the plan and asking individual committee’s update their sections.
- **Connie** questioned the motion Bob G., made of accepting the DHPWT offer and the PB cannot accept monetary value gifts; the motion is illegal and has to be rescinded. **Ski K., and Bob G.,** want to proceed as voted and if the Town Selectmen have a problem, the Selectmen can bring it to the PB’s attention. Heated discussion ensued over being able to accept gifts with monetary value.

Motion: by Bob G., and seconded by Ski K., to adjourn the meeting.

Connie B., stated cannot adjourn because there is a discussion on the floor. Roy B., agreed with Connie B., that Bob G., motion is illegal. Dennis L., voiced his concerns. Roy B., went on record stating he believes the vote accepting DHPWT offer is illegal.

Motion: by Roy B., and seconded by Connie B., to recant the motion of accepting DHPWT offer and check the legalities of accepting DHPWT offer.

Board discussion: **Ski K.,** asked Ed Cuomo for his opinion. Ed questioned if there is a signed contract. Bob G., gave a lengthy explanation. Roy B., questioned why someone from DHPWT was not present to present the offer any answer questions. Bob G., noted because Frank R., only asked for a letter from DHPWT.

Connie B., stated Bob G., motion that we accept DHPWT offer... that report has value period. Under the RSA’s anything that has value that the Town accepts must be accepted by the Selectmen after a public hearing.

Repeat Motion: by Roy B., and seconded by Connie B., to recant the motion of accepting DHPWT offer and check the legalities of accepting DHPWT offer.

Vote by show of hands:

Ski – No Connie – Yes Bob – No Roy – Yes Dennis – Yes Bruce – Abstained

Motion passed 3 – 2.

Adjournment

Motion: by Connie B., seconded by Roy B., to adjourn the meeting.

Vote by show of hands:

Ski – No Connie – Yes Bob – No Roy – Yes Dennis – Yes Bruce – Yes

Motion passed 4 – 2.

The meeting adjourned at 8:47 p.m.

Next Meeting: December 20, 2016 at 7:00 p.m.

Minutes approved by majority vote of the Board on – Dec. 20, 2016
Date


Connie Billings, Vice Chairman